

REGULAR CITY COUNCIL MEETING  
NOVEMBER 10, 1986

PRESENT

Ruth Hansen  
Craig Greathouse  
David Church  
Neil Dutson  
Gayle Bunker  
Don Dafoe

Mayor  
Council Member  
Council Member  
Council Member  
Council Member  
Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan  
Dorothy Jeffery  
Warren Peterson  
Richard Waddingham  
John Quick  
Roger Young  
Morris Burton  
Bryce Ashby  
Wydell Jeffery  
Mr. & Mrs. John Zeunen  
Jerry Reagan  
Vincent Crawford  
Johnny Scott  
Ammon Winsor  
David Lisonbee  
Allen Lawson  
Darwin Bills  
Shawn Bills

City Manager  
City Recorder  
City Attorney  
Deputy City Attorney  
City Engineer  
Chief of Police  
Police Office  
Fire Chief  
City Resident  
  
Building Inspector  
Utah Power & Light Co.  
Boy Scout Troop 140  
Boy Scout Troop 140  
Boy Scout Troop 140  
Boy Scout Troop 140  
Boy Scout Troop 934  
Boy Scout Troop 934  
KNAK

Mayor Ruth Hansen called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a regular City Council meeting held October 27, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member David Church MOVED that

the minutes be approved as corrected. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

#### ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Craig Greathouse MOVED that the accounts payable be approved for payment as listed, for a total of \$67,124.89 including the bill from Millard County in the amount of \$714.60 that was withheld from the previous accounts payable list. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Mayor Hansen recognized and welcomed a group of Boy Scouts from Troop 140 and Troop 934.

#### JOHN ZEUNEN: WATER CONNECTION ON WEST SIDE OF DELTA

Mayor Hansen asked John Zeunen to address the Council regarding a water connection on his property outside the Delta City limits.

Mr. John Zeunen referred to a regular City Council meeting held May 13, 1985, where a temporary water connection was granted to Mr. Zeunen for approximately 120 days while the possibility of annexation was being explored, with the condition that Mr. Zeunen agree to annexation. Mr. Zeunen said that he also agreed that if the proposed annexation did not materialize, the contract for water service would be discontinued at the end of the 120 days.

Mr. Zeunen said that he has contacted property owners west of Delta to sign petitions for annexation. However, he has been unable to obtain the required amount of signatures.

Mr. Zeunen said that if the Council decides to discontinue his water connection, he will have to drill a well and will not consider annexation at a later date. Mr. Zeunen requested that the Council give him sufficient notice if his water connection is discontinued.

There was a lengthy discussion regarding Mr. Zeunen's water connection and possible annexation of the property west of Delta City limits.

Council Member Gayle Bunker said the businesses outside Delta City limits are an asset to Delta City and that he is in favor of allowing water connections to businesses on the west side of Delta.

The Council further discussed the problem concerning the insufficiency of a water supply for fire protection services in that area.

Council Member Gayle Bunker MOVED that Mayor Hansen appoint a committee to try to solve the problem of water services to West Delta. He further MOVED that Mr. Zeunen would have a minimum of 90 days notice prior to termination of water services. The motion was SECONDED by Council Member Craig Greathouse. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously with Council Member Neil Dutson abstaining due to conflict of interest.

WYDELL JEFFERY: PROPOSAL FOR LEASE/PURCHASE OF DELTA CITY LANDFILL

Mayor Hansen asked Wydell Jeffery to present a proposal to the Council for the lease/purchase of the Delta City Landfill.

Wydell Jeffery asked the Council if they would consider leasing or selling Delta City property at the Delta City Landfill for a mineral extraction operation.

Mr. Jeffery said that Millard County has granted him a conditional use permit at the landfill.

The Council discussed with Mr. Jeffery the proposed mineral extraction operation and expressed their concern regarding the disposal of waste from the minerals and heavy trucks traveling on the new City street to that area.

Council Member Don Dafoe said that prior to Council action Mr. Jeffery needs to contact the State Health Department to determine if the waste materials from the mineral extraction can be deposited in the landfill.

There was also discussion concerning the appropriate steps to be taken in order to close the landfill, together with a determination as to who would be responsible to oversee that the project be completed.

Council Member David Church suggested that Mr. Jeffery pursue Millard County to get the Delta City landfill closed so that the property is available for lease or purchase. Mr. Church said that when appropriate steps are taken to close the landfill, the Council could consider the possibility of selling or leasing the property.

The Mayor and City Council spoke in favor of Mr. Jeffery making use of the landfill after it is properly closed to meet State regulations.

The Council took no action on this issue, in order to allow time for further study.

VINCENT CRAWFORD: UTAH POWER & LIGHT EASEMENT PN 1514116 & PN 2753796

Mayor Hansen asked Vincent Crawford of Utah Power & Light Company to address the Council.

Mr. Crawford presented Easement No. PN 1514116 for the Delta City Dumpsite and Easement No. PN 2753796 for the Delta City Airport for Council's approval.

Following review of the easements, it was noted that the easements were in the form of a business corporation rather than a municipal corporation and they needed to be revised.

Following a brief discussion, Council Member Gayle Bunker MOVED to approve Easement No. PN 1514116 & Easement No. PN 2753796 after appropriate forms have been made, subject to the City Attorney's approval. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Neil Dutson	Yes
Council Member Craig Greathouse	Yes

The motion passed unanimously.

JERRY REAGAN: BUILDING INSPECTION DEPARTMENT REPORT

Mayor Hansen asked Building Inspector Jerry Reagan to give a report on the Building Inspection Department.

Mr. Reagan reviewed a Building Code Reference booklet with the Council, which included the following topics:

- a. Plan Check & Code Reference
- b. Inspectors Check Lists
- c. Chapter 28 - Framing Code
- d. Plumbing & Mechanical check List

Mr. Reagan suggested the Building Code Reference booklet be available to the public at the cost of \$5.00 per booklet.

Mayor Hansen thanked Mr. Reagan for his presentation.

MAYOR HANSEN: APPOINTMENT OF CITY ATTORNEY

Mayor Hansen said that attorneys within Delta City have been contacted to apply for the position of Delta City Attorney. However, there has been no response as of this date. Therefore, Mayor Hansen recommended that Deputy City Attorney Richard Waddingham be appointed Delta City Attorney.

There was a brief discussion concerning a conflict of interest due to the fact that the new County Attorney, Warren Peterson, and Attorney Richard Waddingham share the same office building. However, after discussing the advantages and disadvantages of both attorneys sharing the same office, the Council determined that this arrangement would be suitable.

Following brief discussion, Council Member Don Dafoe MOVED to appoint Richard Waddingham Delta City Attorney effective January 1, 1987. Council Member David Church SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

CITY ACTIVITY REPORT

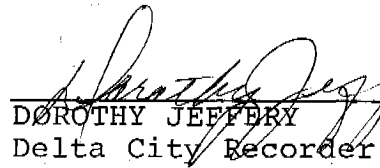
Council Member Don Dafoe said that Main Street is in need of repair and suggested that City Manager Jim Allan contact UDOT and request that the State make the necessary improvements.

Attorney Warren Peterson requested that the Council go into closed session to discuss pending litigation. Council Member Craig Greathouse MOVED that the Council meet in closed session for the purpose of discussing pending litigation. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Following a status report concerning lawsuits which are now pending. Council Member Neil Dutson MOVED to reconvene to regular City Council meeting at 9:05 p.m. The motion was SECONDED by Council Member David Church. The motion passed unanimously.

Mayor Hansen asked if there were any further comments or questions or items to be discussed. There being none, Council Member David Church MOVED to adjourn. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously. Mayor Hansen declared the meeting adjourned at 9:10 p.m.

  
RUTH HANSEN, Mayor

  
DOROTHY JEFFERY  
Delta City Recorder

MINUTES APPROVED: RCCM 12-08-86